

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F038731 People v. Manuel

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F038731 People v. Manuel

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038175 Maples v. In-Home Health Solutions Pharmacy, Inc., et al.

The judgment is reversed. Appellant shall recover her costs for this appeal.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F036678 People v. Riley

The judgment is affirmed. The trial court is ordered to amend the abstract of judgment to reflect that the enhancements pursuant to section 12022.53, subdivisions (b) and (c), were stricken. The trial court shall forward certified copies of the amended abstract of judgment to the appropriate authorities. Detjen, PRO TEM, J.

We concur: Ardaiz, P.J. ; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037514 People v. Flores

The judgment is affirmed. Detjen, PRO TEM, J.

We concur: Ardaiz, P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037962 O'Neal Irrigation Supply Co. v. Mauldin-Dorfmeier Construction et al.

The judgment is affirmed. O'Neal is awarded its costs on appeal as well as the total sum of \$2,500 as and for attorney fees incurred in connection with this appeal, which sum the trial court shall include in its order setting O'Neal's appellate out-of-pocket costs. Dibiaso, Acting P.J.

We concur: Harris, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F037862 *Doke v. Schultz*

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F039130 *People v. Flores*

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039130 *People v. Flores*

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038520 *People v. McKinney*

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F038520 *People v. McKinney*

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038218 *People v. Garcia*

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F038218 People v. Garcia

The judgment is modified to stay the sentence imposed on count 2, with such stay to become permanent when service of the sentence on appellant's conviction of carjacking is completed. As so modified, the judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect the imposition of the three-year enhancement term under subdivision (b)(2), not subdivision (b)(1).

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040413 Allen (Stephens) v. Vega

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039451 People v. Watkins

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F039451 People v. Watkins

The judgment is modified to impose the upper term of three years in case No. 00-54511, to be served concurrent to the term imposed in case No. 01-79046. In all other respects the judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment and provide a copy to the Department of Corrections.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040968 In re Andrew Burnett on Habeas Corpus

Let a petition for writ of habeas corpus issue directing the Clerk of the Merced County Superior Court to file the notices of appeal and requests for certificate of probable cause submitted by petitioner in Merced County Superior Court action Nos. LFB8773 and LFB8869, to treat them as being timely filed, and to proceed with the preparation of the record on appeal in accordance with the rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]